

(PUBLISHED IN THE WICHITA EAGLE ON MAY 27, 2011) 028001

ORDINANCE NO.49-013

AN ORDINANCE OF THE CITY OF WICHITA, KANSAS, AUTHORIZING, PRESCRIBING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ECONOMIC DEVELOPMENT GRANT AGREEMENT BY AND AMONG HAWKER BEECHCRAFT CORPORATION, THE CITY OF WICHITA, KANSAS, AND SEDGWICK COUNTY, KANSAS.

WHEREAS, the City of Wichita, Kansas (the “City”) is authorized by Article 12, Section 5, of the Kansas Constitution to determine, by ordinance, its local affairs and government; and,

WHEREAS, the Governing Body of the City finds and determines that it is desirable to act in cooperation with Sedgwick County (the “County”) and the State of Kansas in order to promote, stimulate and develop the general economic welfare and prosperity of the City, the County and the State of Kansas, by taking action to approve an Economic Development Grant Agreement, conditioned on local job creation and retention, local headquarters retention, and certain other factors, to assist Hawker Beechcraft Corporation in maintaining existing jobs in its manufacturing operations within Sedgwick County, Kansas; and,

WHEREAS, pursuant to a certain Workforce Services Training Agreement dated as of December 21, 2010 (the “State Impact Agreement”), by and between Hawker Beechcraft Corporation and the Kansas Department of Commerce (hereinafter, “KDOC”), the KDOC covenanted to use its best efforts to cause the City and County to enter into an agreement to provide to the Company a \$5,000,000 grant; and,

WHEREAS, the Governing Body of the City has found that it is in the best interests of the City to enter into such an agreement whereby the City and the County will each provide a \$2,500,000 economic development grant to the Company, on terms similar to those established for the Major Project Investment (“MPI”) payments under the State Impact Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AS FOLLOWS:

Section 1. Findings Relating to Economic Development Grant Agreement. The City’s Governing Body hereby finds that providing a conditional grant to Hawker Beechcraft Corporation, in five annual installments, aggregating up to a maximum amount of \$2,500,000, as specified in the Economic Development Grant Agreement submitted to the Governing Body concurrently herewith, will advance economic development in the environs of the City of Wichita, Kansas and will serve a public purpose.

Section 2. Authorization of the Economic Development Grant Agreement. The Mayor of the City of Wichita, Kansas is hereby authorized and directed to execute and deliver the Economic Development Grant Agreement presented herewith, by and among the City of Wichita, Kansas, Sedgwick County, Kansas, and Hawker Beechcraft Corporation, for and on behalf of and

as the act and deed of the City with such minor corrections or amendments thereto as the Mayor shall approve (which approval shall be evidenced by his execution thereof) and any such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of this Ordinance. The City Clerk and any Deputy City Clerk of the City are hereby authorized and directed to attest the execution of the Economic Development Grant Agreement, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. Further Authority. The City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City of Wichita, Kansas and publication once in the official newspaper of the City.

PASSED by the Governing Body of the City of Wichita, Kansas, this 24th day of May, 2011.

Approved by the Mayor:

CITY OF WICHITA, KANSAS

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk
[Seal]

APPROVED AS TO FORM:

Gary E. Rebenstorf, City Attorney